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Via Electronic Filing

October 5, 2011

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth St., S.W.
Washington, DC 20554

*Re: Notice of Ex Parte Presentation – CG Docket No. 10-213, WT Docket No. 96-198,
CG Docket No. 10-145*

Dear Ms. Dortch:

This is to notify you that on October 3, 2011, Julie Kearney, Vice President, Regulatory Affairs, Consumer Electronics Association (“CEA”), spoke by telephone with Angela Giancarlo, Chief of Staff and Senior Legal Advisor, Wireless and International, for Commissioner Robert M. McDowell.

During the call, we discussed CEA’s request for class waivers pertaining to Internet-enabled Televisions and Digital Video players.¹ CEA urged that the Commission grant the requested class waivers of Section 716 of the Communications Act, as amended (the “Act”)² for Internet-enabled televisions (the “subject TVs”) and Internet-enabled digital video players (the “subject DVPs”) in its order to be adopted in the above-referenced proceeding.³ CEA understand that the Commission is considering a six-month deadline to act on waiver petitions, after which time the

¹ See *Ex Parte* Letter from Julie Kearney, CEA to Marlene H. Dortch, Secretary, FCC, CG Docket Nos. 10-213 & 10-145, WT Docket No. 96-198 (filed July 19, 2011) (“*July 19 Ex Parte Letter*”) (requesting class waivers for Internet-enabled televisions and digital video players).

² See 47 U.S.C. § 617. Section 716(h)(1) provides the authority under which the waivers are requested. See *id.* § 617(h)(1).

³ See *Implementation of Sections 716 and 717 of the Communications Act of 1934, as Enacted by the Twenty-First Century Communications and Video Accessibility Act of 2010*, Notice of Proposed Rulemaking, 26 FCC Rcd 3133, 3156 ¶ 60 (2011) (“*NPRM*”) (“Are there specific classes of services or equipment that we should consider waiving in our final rules on Section 716?”).

waiver will be deemed granted for a period of two years. CEA supports this approach, as it will ensure prompt Commission action and much-needed certainty for manufacturers.

Pursuant to Section 1.1206 of the Commission's rules,⁴ this letter is being electronically filed with your office and a copy of this submission is being provided to Ms. Giancarlo. Please let the undersigned know if you have any questions regarding this filing.

Respectfully submitted,

/s/ **Julie M. Kearney**

Julie M. Kearney
Vice President, Regulatory Affairs

cc: Angela Giancarlo

⁴ 47 C.F.R. § 1.1206.